IN THE HIGH COURT OF BOMBAY AT GOA.

CIVIL REVISION APPLICATION NO. 169 OF 2001.

1. Antonio Braganca, r/at
   H. No. E-17, Bondir,
   St. Cruz, Ilhas, Goa.
2. Mrs. Sebastiana Pegado
   Braganca, r/at H.No. E-17,
   Bondir, St. Cruz, Ilhas, Goa. ... Applicants.

Versus

1. Pedro Joao Braganza,
   r/at H. No. 1047,
   Premeiro Bairo,
   Santa Cruz, Ilhas, Goa.
2. Mrs. Cesaria Braganza,
   r/at H. No. 1047,
   Premeiro Bairo,
   Santa Cruz, Ilhas, Goa.
3. Mario Antonio Braganca,
   r/at H. No. 1047,
   Santa Cruz, Ilhas, Goa.
4. The Madgaum Urban Co-operative
   Bank Ltd., Panaji Branch,
   M.G. Road, Panaji, Goa.
5. Unit Trust of India Ltd.,
   c/o UTI Investor Services
   Limited, Post Bag No.
   37542, Plot No. 369,
   Marol Maroshi Road,
   Near Marol Maroshi Bus
   Depot, Vijay Nagar,
   Andheri (East), Mumbai. ... Respondents.

Mr. S.D. Lotlikar, Senior Advocate with Mr. A.D. Bhobe, Advocate for the Applicants.

Mr. E.P. Lobo, Advocate for the Respondents 1 and 2.

Mr. S.G. Dessai, Senior Advocate with Mr. M. Shirodkar, Advocate for the Respondent No. 3.

Coram: P.V. HARDAS, J.

Date: 5th December 2002.

ORAL JUDGMENT.

Heard Mr. Lotlikar, learned senior counsel for the applicants, Mr. Lobo, learned counsel for the

respondents 1 and 2 and Mr. Dessai, learned senior counsel for the respondent no. 3.

2. Mr. Lotlikar, learned senior counsel for the applicants, states that this Civil Revision Application is not maintainable, in view of the amendment to Section 115 of the Code of Civil Procedure and, therefore, seeks to withdraw the same. He further states that the applicants desire to file appropriate proceedings in this Court.

3. This Civil Revision Application is, therefore, dismissed as withdrawn.

(P.V. HARDAS)
JUDGE.

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